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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,002	05/01/2001	Hyung-Chul Kim	678-600 (P9393)	4813

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DILWORTH & BARRESE, LLP
333 EARLE OVINGTON BLVD.
UNIONDALE, NY 11553

EXAMINER
NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 December 2004_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to an amendment filed 12/30/04.

2.   Claims 1-8 are pending in this application. Claims 1, 4 and 6 are independent

claims; and claim 6 has been amended.

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claim Rejections - 35 USC § 103

4.   Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Smith et al. ("Smith") in view of Smethers.

As per claim 1, Smith teaches a method for changing a menu icon in a mobile

telephone, the method comprising:

downloading menu icon data from a server connected to a network (fig. 2; col. 4,

lines 34-36; col. 11, lines 10-16; col. 8, lines 26-63; *downloading menu icon data for a*

telephone directory/menu from a server such as a central server or another mobile

phone);

converting the menu icon data to icon form suitable for a display of the mobile

telephone and storing the converted menu icon data as menu icons (figs. 6 and 8-10;

inherent that icon data be converted to a displayable form given that it is displayed);

upon receipt of an icon set change request from a user, displaying a set of the

stored icons (fig. 8C; col. 7, lines 26-28, 48-49 and 51-52; *upon receipt of an icon set*

change via selection of button 832 from a user, screen 840 displays an icon menu 841

containing several pre-designed icons); and

displaying desired ones of a set of the menu icons by selection of the user on a

main menu screen (figs. 6 and 8C; col. 6, lines 47-62; col. 7, lines 26-28, 48-49 and 51-

52; *displaying desired ones of a set of the menu icons by selection of the user via*

selection of icon(s) 832 on a main menu screen 830 then selection of an icon of icon

menu 841 after menu icon data are downloaded and stored in the appropriate field of

table 600).

Smith does not explicitly disclose the server being a web server connected to an IP

network. Smethers teaches a method comprising a mobile telephone wherein the

mobile telephone is coupled to a web server connected to an IP network (col. 5, lines

14-18). Therefore, it would have been obvious to an artisan at the time of the invention

to include Smether's mobile telephone wherein the mobile telephone is coupled to a

web server connected to an IP network to Smith's mobile telephone wherein the mobile

telephone is coupled to a server connected to an communications network in order to

provide users with an implementation preference.

As per claim 2, the modified Smith teaches a method for changing a menu icon in

a mobile telephone wherein in the downloading step, the menu icon data downloaded

from the web server is transmitted to an SMS center and the SMS center transmits the

menu icon data together with SMS data to the mobile telephone through a base station

transceiver subsystem (BTS) (Smith: col. 11, lines 10-14).

As per claim 3, the modified Smith teaches a method wherein the menu icon data is segmented into a plurality of SMS data before transmission and is reassembled into original menu icon data at the mobile telephone (Smith: figs. 6 and 8-10; col. 4, lines 64-67; col. 11, lines15-16 and col. 6, lines 61-62; col. 7, line 26 through col. 8, line 10).

Claim 4 is similar in scope to claim 1 except for storing icons in a database and data being downloaded through a cable or LAN, which the modified Smith also teaches (Smith: fig. 6; col. 11, lines15-16 and col. 6, lines 61-62; Smethers: col. 5, lines 14-18; *connection to LAN, i.e. connection to a proxy server*).

5.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith") in view of Smethers as applied to claim 1.

As per claim 5, although the modified teaching of Smith teaches a method for changing a menu icon in a mobile telephone wherein the mobile telephone is coupled to an IP network and is in communication with a computer and wherein the editing comprises accessing and selecting menu icons and editing the menu screen configuration using the menu icons stored in a computer database (Smith: col. 7, line 26 through col. 8, line 10; col. 11, lines 12-16; col. 8, lines 22-23; col. 6, lines 40-44), the modified Smith does not explicitly disclose that the menu icons are selected and downloaded from an icon providing Web site using a personal computer. Official Notice is taken that selecting and downloading menu icons from an icon providing Web site using a personal computer is well known in the art. Therefore, it would have been obvious to an artisan at the time of the invention to include selecting and downloading menu icons from an icon providing Web site using a personal computer to the modified

teaching of Smith wherein selection and downloading of menu icons stored in a

computer database in order to provide users with an alternative source for downloading

data.

6.   Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Smith et al. ("Smith") in view of Screen Dumps of Netscape Communicator 4.75

("Communicator").

As per claim 6, although Smith teaches a method for editing a main menu

configuration in a mobile telephone comprising: displaying a menu edit screen, if a

menu edit submenu is selected (fig. 8A; *displaying menu edit screen 811, if a menu edit*

submenu "NAME LIST" is selected); displaying a menu configuration submenu, if a

menu configuration edit submenu is selected (figs. 8(A-C); *displaying menu*

configuration submenu 820/830/840, if a menu configuration edit submenu "NEW

NAME", "DELETE NAME" or "CREATE CARD" is selected); editing a menu

configuration by newly selecting a screen object of the menu configuration submenu to

be displayed on the main menu (figs. 8(B-C) and 13(A-B); *editing the directory/menu*

configuration by newly selecting a screen object such as icon(s)/screen object(s) 832 of

the menu configuration submenu 820/830/840); and inputting titles of the newly selected

fields and storing the edited menu configuration with a title input by a user (figs. 8(B-C)

and 13(A-B); col. 7, lines 22-23; col. 8, lines 3-10; *inputted titles such as*

"AND@USA.RICH.COM..." of the newly selected fields are stored), Smith does not

explicitly disclose editing the main menu configuration by newly selecting submenus.

Communicator teaches a method for editing the main menu configuration by newly

selecting submenus; moreover, Communicator teaches displaying a menu edit screen, if a menu edit submenu is selected (figs. 1-2; *displaying menu edit screen 210, if "Edit Bookmarks" 105/menu edit submenu is selected*); displaying a menu configuration submenu, if a menu configuration edit submenu is selected (fig. 3; *displaying a menu configuration submenu 425, if a menu configuration edit submenu 315 is selected*); editing a menu configuration by newly selecting submenus of the menu configuration submenu (fig. 3; *editing a menu configuration by newly selecting folder/submenus of the menu configuration submenu 425 upon user selection of "OK"*); and inputting titles of the newly selected submenus and storing the edited menu configuration with a title input by a user (figs. 3-4; *titles are inputted in the "Name" or "Description" field*). Therefore, it would have been obvious to an artisan at the time of the invention to include Communicator's teaching of editing the main menu configuration by newly selecting submenus to Smith's teaching of editing the main menu configuration by newly selecting submenus to Smith's teaching of editing the main menu configuration by newly selecting screen object(s) in order to provide users with an additional method of organizing screen objects and a method of organizing screen objects of a hierarchical type.

As per claim 7, the modified Smith teaches a method for editing a main menu configuration in a mobile telephone comprising displaying the menu configuration titles edited by a user, if a menu configuration select submenu is selected on the menu edit screen and changing the main menu configuration displayed on a display of the mobile telephone to the edited menu configuration selected by a user (Communicator: figs. 2 and 5(A-B); *depicted in figs. f(A-B) are menu configuration titles edited by a user, if a*

menu configuration select submenu 245 is selected on the menu edit screen 210, and

users change displayed main menu configuration to selected edited menu configuration

via copy and paste hot keys operation such as ctrl+c and ctrl+v).

7.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et

al. ("Smith") in view of in view of Screen Dumps of Netscape Communicator 4.75

("Communicator") as applied to claim 6, and further in view of Kenagy et al. ("Kenagy")

As per claim 8, the modified Smith teaches a method for editing a main menu

configuration in a mobile telephone comprising access to a menu edit submenu and

displaying the menu edit submenu (Smith: fig. 8A; Communicator: figs. 1-2). The

modified Smith does not explicitly disclose an edit submenu wherein prior to accessing

the menu edit submenu, users are requested to input an input lock code wherein

determination is made whether the inputted lock code is identical to a prescribed lock

code to display the menu edit submenu. Kenagy teaches a mobile telephone users

may designate a password to correspond with a different storage area or correspond to

varying levels of programming access (col. 2, lines 24-63; *i.e. a first password*

permitting user access only to the user-programmable system parameter storage area

130 while a second password may permit user access to the semi-permanent system

parameter storage area 128 in addition to the user-programmable system parameter

storage area). Therefore, it would have been obvious to an artisan at the time of the

invention to include Kenagy's teaching of a mobile telephone users may designate a

password to correspond with a different storage area or correspond to varying levels of

programming access to the modified Smith's method for editing a main menu

configuration in a mobile telephone in order to provide a user with a method that

prevents selected content from being over-written.

Response to Arguments

8.   Applicant's arguments with respect to claims 6-7 have been considered but are

moot in view of the new ground(s) of rejection, except for the following which has been

fully considered but deemed not persuasive.

Applicant argued the following:

Although Smith teaches that icons may be received during a call from another

user, Smith does not teach downloading menu icon data from a database and saved,

thereby being able to be selected (edited) for display.

The examiner disagrees for the following reasons:

The modified Smith teaches downloading menu icon data. The modified Smith

teaches a method for changing a menu icon in a mobile telephone (Smith: figs. 8A, 10

and 13A; col. 9, line 66 through col. 10, line 8) wherein users of the system download

an EBC including location icons such as home, work, cellular, email and fax icons

(Smith: fig. 6; col. 11, lines15-16 and col. 6, lines 61-62).

Furthermore, the Office notes that applicant did not contest the factual assertion

set forth under the under Official Notice in lines 15-16 of page 5 of the Office Action of

1/2/04.

Inquires

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN
Patent Examiner
March 7, 2005

KRISTINE KINCAID
SUPE......... / ...... .T PY........R
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